



DECLARATION FOR REISSUE PATENT APPLICATION

As a below named inventor, I hereby declare that:



My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is described and for which a reissue patent is sought on the invention entitled

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filed September 27, 2000 as serial no. 09/672,523 ("the reissue application"), the specification of which is attached hereto and was issued on October 6, 1998 as U.S. Patent no. 5,819,034 ("the original patent") based on serial no. 08/233,908 ("the application"), filed on April 28, 1994.

hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the effective filing date, that the same was not in public use or on sale in the United States of America more than one year prior to the effective filing date, and that the invention was has not been patented or made the subject of an inventor's certificate issued prior to the effective filing date in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve moths (for a utility patent application) or six moths (for a design patent application) prior to the effective filing date.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Prior Foreign Application(s)			<u>Claimed</u>	
Number	Country	Day/Month/Year Filed	Yes	No
Number	Country	Day/Month/Year Filed	Yes	No
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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

Application Number	Filing Date
Application Number	Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status patented, pending, abandoned
Application Number	Filing Date	Status patented, pending, abandoned

I verily believe the original patent to be wholly or partially inoperative by reason that the original patent claims less than I had a right to claim in the patent. The claims fail to cover embodiments of the invention and inventions as claimed in the above-identified reissue application. The error arose without any deceptive intention on my part. The error arose during the drafting of the application and during subsequent amendments in connection with the prosecution of the application which resulted in the issuance of the original patent. The error occurred as a result of the attorney prosecuting the application and I failing to appreciate the scope of the invention and/or to properly identify the invention(s). The error was discovered subsequent to issuance of the original patent during a review of the original patent by the assignee and/or its representatives. I further acknowledge my duty to disclose information which is material to the examination of the application under 37 CFR § 1.56.

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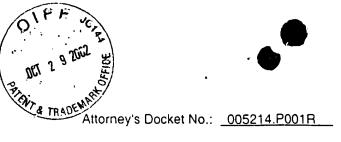
Send correspondence to André L. Marais BLAKELY, SOKOLOFF, TAYLOR & (Name of Attorney or Agent)

ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to André L. Marais (408) 720-8300.

(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First				
nventor's Signature	lunar.	Inepe .	Date	11/20/00.
Residence GAITHE	RSBURG, M.	ARYLAND Citiz	enship	(Country)
	(City, Staté)			(Country)
Post Office Address	16124	ORCHARD O	GROVE R	Δ.
Full Name of Second/J	oint Inventor <u>Ans</u> l	ley Wayne JESSUP	Jr.	
Inventor's Signature	·		Date	
Residence		Citi	zenship	
Residence	(City, State)			(Country)
Post Office Address				·
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Full Name of Third/Join	nt Inventor <u>Vince</u>	nt DUREAU		
Inventor's Signature _			Date	
Residence		Cit	izenship	
	(City, State)			(Country)
Post Office Address				
	aint lauranta - Atai	:- DEL DUOL		
Full Name of Fourth/J				
Inventor's Signature _	 		Date _	
Residence		Ci	tizenship	(01-)
	(City, State)			(Country)
Post Office Address_				
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filed September 27, 2000 as serial no. 09/672,523 ("the reissue application"), the specification of which is attached hereto and was issued on October 6, 1998 as U.S. Patent no. 5,819,034 ("the original patent") based on serial no. 08/233,908 ("the application"), filed on April 28, 1994.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the effective filing date, that the same was not in public use or on sale in the United States of America more than one year prior to the effective filing date, and that the invention was has not been patented or made the subject of an inventor's certificate issued prior to the effective filing date in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve moths (for a utility patent application) or six moths (for a design patent application) prior to the effective filing date.

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Prior Foreign Application(s)				ty ied
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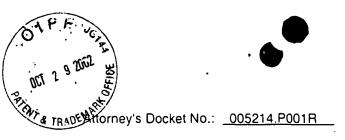
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I reserve the right to file broadening claims for the present reissue application beyond the two year limit, and in any continuation or divisional reissue application based on the present reissue application.

, BLAKELY, SOKOLOFF, TAYLOR & Send correspondence to <u>André L. Marais</u> (Name of Attorney or Agent) ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct telephone calls to André L. Marais *,* (408) 720-8300. (Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Citizenship(Country)
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Modes Date Murmber 11, 2000
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Date
Citizenship
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Citizenship
(Country)





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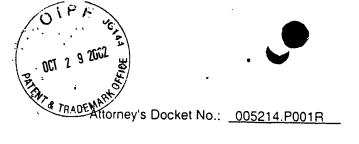
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Inventor's Signature	Date	
Residence	Citizenship	
(City	Citizenship (Co	untry)
Post Office Address		
Full Name of Second/Joint Inve	entor <u>Ansley Wayne JESSUP, Jr.</u>	_
	Date	
Residence	Citizenship	
(City	Citizenship (Co	ountry)
Post Office Address		
Full Name of Third/Joint Invent	torVincent DUREAU	
Full Name of Third/Joint Invent	tor <u>Vincent DUREAU</u> Date <u>U</u> (ω) (<u> </u>
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Full Name of Sole/First Inventor	Kuriacose JC	DSEPH		····	
Inventor's Signature		<u> </u>	Date		
Residence		Citizenship(Country)			
(City,	State)	·	(Cou	intry)	
Post Office Address					
Full Name of Second/Joint Inver	ntor <u>Ansley W</u>	ayne JESSUP, Jr.	·		
Inventor's Signature		····	Date		
Residence		Citizens	Citizenship(Country)		
(City,	State)		(Cou	untry)	
Post Office Address		·····			
Full Name of Third/Joint Invento	r <u>Vincent DU</u>	REAU			
Inventor's Signature	- 		Date		
Residence		Citizens	hip		
(City	State)		(Co	untry)	
Post Office Address					
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Full Name of Fourth/Join Inven			_		
Inventor's Signature	200		Date Nov	13,2000	
Residence Les	ESSARTS	FRANCE Citizens	ship FRANCE		
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Post Office Address 34	PARC D	es Essarts			
7860	10 LES	ESSARTS LERO	i FRANCE		

Rev. 06/27/00 (D2)

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made or record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
 - (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application;
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.